

09/06-WV

**MEMORANDUM OF OIL AND GAS LEASE**

This Memorandum of Oil and Gas Lease is made and entered into this 10th day of July, 2009 by and between Bertha Lilley, widow (Life Estate), Brian D. Lilley & Carol Lilley, h&w (Remainderman), whose address is RR 3 Box 270 Cameron, WV, 26033 (hereinafter called "Lessor"), and Chesapeake Appalachia, L.L.C., whose address is P.O. Box 6070, Charleston, West Virginia 25362-0070 (hereinafter called "Lessee").

**WITNESSETH**

For and in consideration of the sum of One Dollar (\$1.00) cash in hand paid, and other good and valuable consideration, Lessor did make and execute in favor of Lessee an Oil and Gas Lease dated July 10<sup>th</sup>, 2009, and made effective July 10<sup>th</sup>, 2009, which provides for a Five (5) year primary term covering Lessor's interest in the following described lands:

Tax Map No: TM 7 Parcel's 21 & 21.1

bounded formerly or currently as follows:

On the North by lands of: Brian Lilley

On the East by lands of: Don Sampson; David Lee Madgers

On the South by lands of: Mark W. Fletcher

On the West by lands of: Bertha Lilley-Life Estate

Containing 100.00 acres and located in the District of Cameron, Marshall County, State of West Virginia, for the purpose of drilling, operating for, producing and removing oil and gas and all the constituents thereof. Said lands were conveyed to Lessor by virtue of deeds dated 9/2/1975 & 9/15/2008 and recorded in said County and State in Books 454 & 672, Pages 76 & 124.

This Memorandum of Oil and Gas Lease is being made and filed for the purpose of giving third parties notice of the existence of the Lease described above. The execution, delivery and recordation of this Memorandum of Oil and Gas Lease shall have no effect upon, and is not intended as an amendment of the terms and conditions of the Lease. It is the intent of the Lessor to lease all of Lessor's interest in and to the properties described herein, whether or not the tracts recited herein are properly described, and further it is understood this lease includes all rights owned by the Lessor in the properties described herein.

IN WITNESS WHEREOF this Memorandum of Oil and Gas Lease is executed as of the date first above written.

WITNESS:

LESSOR:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Bertha Lilley  
Bertha Lilley (Life Estate)

Brian D. Lilley  
Brian D. Lilley (Remainderman)

Carol Lilley  
Carol Lilley (Remainderman)

**ACKNOWLEDGEMENT**

State of WEST VIRGINIA

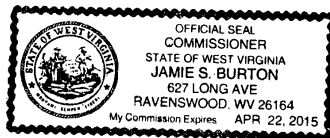
County of MARSHALL

On 42209 8/11/2009 before me, the undersigned authority in and for said State, personally appeared Bertha Lilley, widow (Life Estate), Brian D. Lilley & Carol Lilley, h&w (Remainderman), personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals, or the person upon behalf of which the individuals acted, executed the instrument.

My commission expires APRIL 22, 2015

Signature / Notary Public Jamie S. Burton

Name / Notary Public (print) Jamie S. Burton



This instrument prepared by: Chesapeake Appalachia, L.L.C., P. P. Box 6070, Charleston, WV 25362-0070

Jan Pest  
MARSHALL County 11:33:36 AM  
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Additional \$6.00

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 10th day of July, 2009, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 30th day of November, 2009 at 11:33 o'clock A.M.

TESTE:

Jan Pest

Clerk.